

**TOWN OF HAMILTON
BOARD OF SELECTMEN
MAY 9, 2016**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, May 9, 2016 with Scott Maddern, Shawn Farrell, Bill Wilson, Jeff Hubbard, Allison Jenkins present. Town Manager Michael Lombardo, Finance Director Brian Connolly, Director of Planning and Inspections Patrick Reffett, Zoning Board of Appeals Chair Bill Bowler, Peter Clark, Planning Board member also present.

Call to order

Scott Maddern called the meeting to order at 7:00 p.m.

Public Comment

None.

Chairman/Selectmen reports

Bill Wilson summarized how Stacey Metternick is new chair of HW School Committee, a new Director of Curriculum and Instruction starts on July 1 for HWRSD, PARC assessment testing is underway, Dr. Harvey met with Andrew DeFranza about Miles River project with expectation that 50 students will attend HWRSD, candlelight graduation ceremony is on June 1st at 8 p.m. and graduation is on June 5th at the HW Regional High School, FinCom interviewed a potential candidate for that Committee.

Shawn Farrell reported that the Conservation Commission addressed RDA for vegetation management for commuter rail, enforcement orders on 1 Surrey Lane and 641 Bay Road about non-cutting zones. Also, the Planning Board addressed an ANR on Harris Avenue relative to paper streets, comprehensive review for Habitat for Humanity project on Asbury Street, recommendation to ZBA, and zoning by-law changes. In addition, the CPC is holding a hearing for public input on future CPA grants, and this Committee has an online survey. Replies are still needed for the Town survey as the deadline approaches. The two bathhouses are being completed at Patton Park as well as the pool.

Jeff Hubbard mentioned that the Veteran's Affairs board met and has a new director defining who is being served in the community. He acknowledged accomplishments by residents Joe Harris of Bridge Street for singlehandedly circumnavigating the globe in

his 40' sailboat, and Kent Wosepka of Chebacco Road who ran 160 mile marathon across Sahara Desert. Also, the ECTA decathlon is on June 4th. In addition, HWRSD was rated 13th out of 350 in the state and 344th out of 19,000 public high schools in the U.S.

Allison Jenkins notified that street sweeping will be done, last leaf pickup occurred, and American Legion Memorial Day breakfast is on May 29th at 8:00 a.m.

Maddern described meeting with Patton Homestead Board of Directors regarding parking lot, usage policy and facilities update working toward activities this summer. He summarized Memorial Day events, and mentioned the League of Women Voters civics event at the High School. Also, there have been meetings with neighbors regarding the Longmeadow Way project. In addition, meeting was held at COA with Andrew DeFranza of Harborlight Community Partners.

Town Manager's report

Town Manager Michael Lombardo mentioned that compost had been delivered to the Town Hall parking lot and at Wenham public works yard for resident use. Also, work continues on the bathhouses and pool and work will begin on the septic system aiming for a early to mid-July opening. Work is being done with social media specialist Bobby Gates to identify vendors to migrate Town website in mid-June so it is more active, user friendly and has community dialog aspect. Also, the Town has received 133 applications for the assistant to the Town manager position.

Consent Agenda

Maddern read the following items:

- Approve request by Ipswich Junior Sailing to hang a banner at the senior center/PSB sign board from May 10 through May 14 and May 22 through June 3.
- Approve request by HW Garden Club to hang a banner at the senior center/PSB sign board from May 15 through May 21.
- One Day Liquor License requested by Fresh Food Catering LLC for private event at the Hamilton-Wenham Community House from 7:00 pm to 11:00 pm on Friday, May 13, 2016.
- Five (5) One Day Liquor Licenses requested by Green Meadow Farms for private events at 656 Asbury Street on the following dates/times: June 25, 2016 from 5:30 pm to 8:30 pm; July 23, 2016 from 5:30 pm to 8:30 pm; August 20, 2016 from 5:30 pm to 8:30 pm; September 11, 2016 from 5:30 pm to 8:30 pm; and September 17, 2016 from 6:00 pm to 9:00 pm.

Hubbard moved to approve the consent agenda. Jenkins seconded the motion. Discussion addressed how the one day liquor license requests have not met the limit for the year. VOTE: Unanimous.

Agenda

- Longmeadow Way – Harborlight Community Partners
 - Discuss roll of the Board of Selectmen
 - Discuss/update on planning for all-boards meeting

Discussion ensued about the role of Selectmen in Longmeadow Way project as helping to assess community wide need for affordable housing, facilitate questions and answers, organize volunteers, help do research, and provide objective information with other Town officials.

Maddern spoke about a resident offering to evaluate potential alternate sites in addition to Longmeadow Way for affordable housing and how this has to follow legal regulations and suggested Town counsel could opine given there is a relationship between Harborlight Community Partners and private property owners.

Wilson stated that this should be a collaborative and open process and the Affordable Housing Trust (AHT) could manage investigation of alternate sites relative to the Town's housing production plan. He suggested that alternative sites could be investigated before BOS interjects.

Hubbard opined that he understood the legality and the BOS role is to set policy not determine what locations for affordable housing are viable. He opined that there is a quandary given the Affordable Housing Trust's relationship with the developer so the AHT's credibility has been challenged. Hubbard opined as to what the BOS role is in terms of setting policy and why AHT is actively engaged in project of this size and scope. He suggested the BOS could set a policy about the size of an affordable housing project to understand what is too big. Hubbard opined that the Planning Board should be driving the plan.

Lombardo noted that it is important to acknowledge that when the Affordable Housing Trust met and discussed this project, 24 units were proposed with request for \$100,000 of funds from the Town, far less than 108 units. He said as a member of the Affordable Housing Trust he was surprised how much the project has been changed over time.

Maddern suggested what is known now could be evaluated with the Town's affordable housing plan and interest of the Town could be discussed at the AHT's next meeting.

Farrell spoke to how resident Jack Lawrence could vet some alternate sites to the Longmeadow Way property which could help the AHT. Especially since the proposed 108 unit Longmeadow Way project would make the Town still shy by nearly 100 units of affordable housing to comply with the state requirement of 10% affordable housing for the Town. He suggested the AHT could take a vote on its position on the proposed Longmeadow Way project.

Jenkins described a 2004 comprehensive permit/policy guidelines for Chapter 40B document that she had not heard of before receiving from a resident that was designed and approved by the Planning Board. She noted that this document was created by the Planning Board and the Housing Partnership Committee that existed prior to the AHT.

Wilson mentioned the housing production plan is the policy that recommends the Town develop 12 units per year of affordable housing which is what the AHT is looking at and this is the starting point for suggesting alternative locations in Town. Farrell suggested the document Jenkins brought forward and the Housing Production plan from 2013 could be used together.

Hubbard opined that 24 units is also a large housing development as is the proposed scale of 108 units. Discussion was on how private property owners can enter into agreements with developers and based upon the size of property affordable housing can be done in a higher density than has ordinarily occurred in Hamilton. Hubbard opined that AHT has been partners on the project since inception and concern was how the project grew to 108 units and there is no policy regulating size. He opined that the community's concern is the proposed project is too big for Hamilton. Maddern stated that if another site was vetted it could bring in another set of concerned neighbors so this would not be productive for dialog and looking forward.

Marc Johnson speaking as a former Planning Board member stated that the 2004 policy document was written because the Planning Board wanted to institutionalize input toward the Zoning Board of Appeal's management of Chapter 40B for more control and structure. This is why the Planning Board and BOS have liaisons on the AHT. He added as a member of AHT the ideal number for affordable housing units is 10 to 12 per year. The 24 units would represent two years of affordable housing production.

Resident Bill Shields emphasized that the document (which he believes was approved by the BOS and written by former Town administrator Candace Wheeler) is the comprehensive permit policy and guidelines to deal with Chapter 40B and it has not been rescinded. He opines that having a Planning Board member on AHT is not enough. He quoted from the document about the Town's requirements and expectations for housing development, and that an applicant is supposed to meet with AHT and Planning Board. Shields stated that DeFranza should be prepared to deal with items outlined in the document.

Peter Clark, Planning Board member, spoke to policy approved by BOS since Town was defenseless when ZBA approved Junction Chapter 40B project relative to size and financing. The policy mandates that a developer come to an all boards meeting with traffic and wetland studies, suitability of a site based on soils for sewer treatment plant as a first step. He opined that the AHT has not represented the comprehensive process in the policy. Clark noted that AG had said Town needed policy for dealing with Chapter 40B projects and that Wheeler had worked out problems with Ricker Circle affordable housing.

Discuss/update on planning for all-boards meeting

Maddern stated that the policy could be used in the context of the all boards meeting on Wednesday, May 25 at the Miles River Middle School multipurpose room. Director of Planning and Inspections Patrick Reffett summarized what would be on the agenda for this meeting including a recap of Chapter 40B requirements and regulations, local demographics, population, incomes, etc. Andrew DeFranza of Harborlight Community Partners will present a project overview. Alternative sites, if available, will be discussed. Board members will ask questions and comment. Community input will be sought. Jenkins will email a copy of the policy to Reffett which could be forwarded to DeFranza.

The purpose of the meeting is to let liaisons know the project is coming and describe the project. Also, to review Chapter 40B, Hamilton's housing production plan, changes in Town's demographics, hear a synopsis of Harborlight project, round table with Town boards, and community input. There will be an update from boards and committees involved with a description of community need. A three-month clock started with April 28 meeting at Christ Church when Harborlight will file its project eligibility letter. State funding that is available will be reviewed as well as the Town's priorities.

Hubbard opined that the meeting should be a good use of time and he expressed concern about a potential sales pitch at the meeting. Wilson disagreed and stated that

this is an opportunity for the Town's boards and committees to be involved to ask questions, foster communication, and work towards next steps.

Reffett stated that the meeting would be a forum for sharing basic information. He noted that after meetings with DeFranza more information is gathered. Also, this is an opportunity for the Board of Health and Conservation Commission that are not directly involved to get up-to-speed on the proposed project.

Rosemary Kennedy, 61 Rust Street, mentioned that relative to the Town's involvement the proposed project is driven by financial incentive with lowest income group as the greatest financial incentive. She stated that she has not heard from Town officials about the great financial burden such a project would put on Hamilton. She suggested that an objective person from Mass. Housing Authority could offer the citizens what other alternatives to this development could be with a different perspective than the developer.

Shields observed that going to an all boards meeting would be a violation of the policy since the first step is a meeting with applicant before the Planning Board (next meeting is May 17) to discuss a number of items. Gretel Clark, Bay Road, spoke to the policy and steps a developer is supposed to take regarding traffic and wetlands before a broader discussion occurs in an all boards meeting.

Maddern suggested that the Planning Board and AHT could host the all boards meeting and other boards and committees could attend. The meeting would help assess the community need. He reiterated the three month period from April 28 when DeFranza plans to file the project eligibility letter. Wilson expressed interest in reading the policy and recommended Reffett speak to DeFranza about the policy before the all boards meeting. Farrell concurred and suggested the meeting date be kept as a placeholder. Jenkins agreed that the BOS can read the document and keep the date to move forward.

Lombardo recommended the policy be reviewed by the Town's special counsel to determine if it is appropriate relative to when projects get filed to understand if there is a conflict with current law. The Town updates its housing production plan every 10 years and this policy has not come up in the six years that Lombardo has been serving as Town manager.

In response to Russ Tanzer, Ortins Road, Marc Johnson explained that when the Longmeadow Way project was first brought before the AHT by Harborlight Community Partners, issues such as traffic and wetlands were raised. He reiterated that

the policy gave the Planning Board more structure for providing input to the ZBA. Johnson did not remember if this became a formal policy.

Maddern reiterated that the Town manager will check out the policy with counsel, and follow-up will occur relative to the Planning Board meeting on May 17. Also, since Harborlight Community Partners has a three-month timeframe he did not want to delay May 25 all boards meeting. A status update will be discussed at the next BOS meeting on May 23. The policy will be put on the Town's website.

- Discuss and prioritize Phase II Zoning Bylaw revisions

Reffett noted that he is not presenting the Planning Board's comments in his prioritization of Phase II Zoning Bylaw revisions although Planning Board sentiments and input are included.

He recommended a first step as site plan review issue which is currently responsibility of Zoning Board of Appeals to review development plans that adhere to the local zoning law. Once approved by the granting authority the site plan becomes a legal document which allows a property owner to obtain building permits to do construction. This site plan review process is overseen and administered by ZBA in Hamilton which in many communities is done by the Planning Board. Reffett said advantages of one board or another managing site plan review is specific to committee/board, individual capability, and profession as it comports to site plan review. It is always good to have attorneys, engineers, architects, landscape architects, developers and real estate brokers who understand how projects work and work with people advancing projects.

Discussion was on how Bill Dery had come before the Planning Board and has written a citizens' petition for the last two Town Meetings to change site plan review from the ZBA to the Planning Board. Farrell noted that Dery is collecting signatures and if 200 are collected and this is turned into the Town Clerk's office in 60 days a special Town Meeting could be held in August or September to address this one topic. This meeting would occur before the Town's fall Town Meeting held in October which will cost the Town more money to hold two fall Town Meetings. Site plan review authority will be addressed during Phase II of Zoning Bylaw revisions. Discussions addressed Planning Board protocol that was met so the site plan review authority topic can be brought up again relative to zoning bylaw change at a Town Meeting. A citizens' petition on the topic resulting in a spring Town Meeting warrant article was tabled. Reffett noted that a citizens' group was not happy with the prospect of a bank at the former Hamilton Gardens property.

Hubbard opined how this change in site plan review authority from the ZBA to the Planning Board has been brought before the community three times and this did not move forward due to change in Town board support. He suggested a special Town Meeting in July or August could work best for the Town. Maddern questioned if there are any site plan reviews planned for the summer and if not this could be taken up at the fall Town Meeting in October. Hubbard opined that there has been a history of resident concern about development at sites in Town including Cumberland Farms, Institution for Savings, and Patton Ridge.

Lombardo noted that ZBA and Planning Board have to administer bylaws and state law and broader desires of community might not have influence in terms of decision. These Town boards have to evaluate projects that come before them based on Mass. General Law. Hubbard opined about the perceived preferred differences between the Cumberland Farms building built in a same time period in Amesbury to the building and fueling area constructed in Hamilton.

Wilson, Farrell, and Jenkins concurred that due to cost (\$5,000 to hold a special Town Meeting), efficiencies, and to hear the voice of the community that the Town should work with the interested party to address site plan review authority at the regular fall Town Meeting. The Town moderator could act as a liaison in this matter.

Other topics to be addressed in Phase II of the zoning bylaw revisions includes flexible zoning, cluster housing, and cottage style housing as residential development. This could also include affordable housing. The focus is to have development concentrate on smaller sites with greater density and maintain open space. The existing bylaws are not good at addressing level of density so projects can be financially viable while maintaining open space. Farrell noted that this could help developers with smart growth done in a respectful way for the community.

Another grouping to be addressed includes the estate overlay so it can be useable since the bylaw has not been used yet. This will be used with grand estates in Town and developers will need an incentive to pay for these properties with density that would allow for open space. So this can be workable for the next generations of property owners. Also needed is focus on bed and breakfast zoning bylaw since there will be value for this use.

The consultant has provide zoning language relative to assisted living which is relevant given the aging society and ability to accommodate parents and elders in a respectful way so they won't have to live elsewhere.

Reffett suggested detailed work be done in Tier III items including:

1. Groundwater protection overlay district (GPOD) language where more technical assistance may be needed,
2. Where medical marijuana areas should be designated in community,
3. Review if parking regulations are adequate to serve the community,
4. Consider map changes relative to if downtown business area is big enough (i.e., septic systems to be part of larger business developments) and how community wants to provide itself with a tax base,
5. Consider if the Planning Board size of 7 members with two associates is too big, with other communities having 5 members and 1 associate.

Discussion ensued on how the BOS would rank the Phase II zoning bylaw revisions and get the results to the Planning Board and ZBA as well as bylaw working group. ZBA Chair Bill Bowler suggested the sign bylaw be reviewed as well since it may not meet the Town's need and it could be more helpful for citizens (i.e., shopping center). Farrell suggested how recommended sizes for landscaping (i.e., mature plantings) could be added. Hubbard opined that he would like to hear from the Planning Board on the list and emphasized need for clarification on GOPD. Reffett acknowledged that this work takes time, and it is important to characterize similar groups. Johnson spoke to how GOPD should protect groundwater but should not be used as an anti-development tool.

- GAAN – Approval of interim financing for the Bridge Street Culvert Replacement Project

Finance Director Brian Connolly spoke to GAAN and Treasurer/Collector Cheryl Booth's work with the Town's financial advisor on interim financing for the Bridge Street Culvert replacement project. The bid was awarded to Century Bank with interest expected of \$4,900 for the term. The Town will be moving forward with the project this summer.

Maddern read the following motion:

I move that the Town of Hamilton, Board of Selectmen approve the sale of a \$741,000, 0.75 percent General Obligation Grant Aid Anticipation Note of the Town dated May 20, 2016, and payable April 12, 2017 (the "Note"), to Century Bank and Trust Company at par.

And that in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated April 28, 2016,

and a final Official Statement dated May 5, 2016 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

And further, that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Note, as applicable, for the benefit of the holders of the Note from time to time.

The Hamilton Board of Selectmen hereby authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Note.

And, that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Farrell so moved. Wilson seconded the motion. Discussion was on \$800,000 as an estimated cost for the replacement project. The Town has 75% funding from FEMA that will come back to Hamilton. This interim financing will allow the Town to move forward with the project within 120 days and will occur this summer. Bridge Street will not be shutdown it may go down to one lane during construction. The Town received an extension on the FEMA funding for the project that should have occurred last year. The gas utility is not going to move its pipeline as part of the project. Connelly will check with the public works director to understand if \$380,000 of Chapter 90 money will be used for the project. VOTE: Unanimous.

- Adoption of new Healthcare Insurance Process

Healthcare insurance representatives Brian Adams and Ken Lombardi have been assisting the Town with migration to Benchmark II. This is an alternative to collective bargaining according to M.G.L. Chapter 32B relative to employee healthcare insurance plans. There are three ways to change healthcare insurance benefits:

1. Collective bargaining

2. Section 19 coalition bargaining
3. Adoption provision under local option up to Benchmark I

The unions will be involved in how the savings amount resulting from migrating to Benchmark II is distributed to the membership via a healthcare reimbursement arrangement.

Maddern read the following motion: I move that the Town of Hamilton elect to engage in a process to change health insurance benefits under Mass. General Law Chapter 32B, Sections 21 through 23. Wilson so moved. Farrell seconded the motion.

Jenkins noted that she could participated in the conversation expressing her personal opinion not as an employee of the Town. Lombardo described how this process was carrying out what the Board had asked him to do with the employee healthcare insurance. He noted that he was unable to reach agreement with the unions on a Benchmark I plan with a change in cost share (70/30) in time period allotted. So the Benchmark II benefit is being brought forward. The 25% cost savings will go back to the staff who will play a role in how it is spent. Implementation of the new plan would ideally be on July 1, 2016.

Hubbard opined that he was not so much concerned about the change as he was about the process in which employees were notified of the change. He suggested that generally people have more time than two months to prepare for a benefit change. Lombardo noted that August 1st is likely the implementation date. He explained that he went to the Town's insurance advisory committee the Thursday after the Board's executive session where he was instructed to move forward with the benefit change to Benchmark II. The healthcare insurance personnel and Town officials were available to answer employee questions. He reported that some union personnel did not communicate to their members in a timely manner. Although he had heard from unions that they were already considering Benchmark II.

Jenkins opined about the process when notification occurred where some employees were out during school vacation week, and she had questions on the insurance and was unable to get answers. Also, the paperwork and conversations with employees were presented as if the law was already adopted which was not the case. She stated that it was an impossible task to meet the deadline since all of the union members were unable to meet. The unions asked for a two-day delay to vote after the vacation week and holiday which was denied. Lombardo explained that he thought unions did not act as quickly as they might have relative to the change and reiterated that employees were

ready to go to Benchmark II since they did not want change in cost share to 70/30. The Benchmark II plan will require more out of pocket costs for some employees which could be buffered some with 25% cost savings realized from change. Discussion has to occur with employees about how the Town would move forward with reimbursement. In response to Hubbard, the insurance representative explained that a change in healthcare insurance benefit plan is usually done in 60 to 90 days, ideally on benefit anniversary date. Some communities have taken longer, others shorter amount of time.

Discussion was on how Jenkins will abstain on the vote since this directly affects her employee benefits. VOTE: 4-0-1 Jenkins abstained.

- Setting a date for goal setting session

Saturday, June 4 at 8:00 a.m. in the public safety building training room.

- Liaison Assignments – partial assignment for Selectman Jenkins

Jenkins will be the liaison for Board of Assessors, Chebacco Woods, and the Hamilton Foundation. A decision will be reached on other liaison roles where the Selectmen had mutual interest in certain roles.

New Business

- Consideration of topics for discussion at future Selectmen's meetings

The Board will look at its policies and create a master list of what was adopted. Also suggested was that a list of volunteer openings on Town boards and committees could be posted on bulletin board in Town Hall, that the senior work off hours program should be revisited to ensure seniors don't have to work fewer hours, schedule a joint meeting with the FinCom, and analyze results of Town survey and communicate to other Town boards and committees as part of reviewing Master Plan.

Maddern entertained a motion to adjourn at 9:15 p.m. Hubbard so moved. Wilson seconded the motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST: _____

Clerk

May 19, 2016

Town of Hamilton
577 Bay Road
Hamilton, MA 01936

RE: Citizen Petition to Change Site Plan Review

Dear Hamilton Selectmen,

As way of background, this is the 3rd time the Petitioner is bringing forward this subject matter as a Citizen Petition. The prior two times, the Citizen Petition failed. To make sure this did not occur again, I reached out to the Petitioner.

Right after Annual Town Meeting we began corresponding by email. My first recommendation was that the Petitioner meet with the Planning Board to see if (1) they would sponsor the Article themselves and (2) felt the same sense of urgency such that the matter required the calling of a *Summer* Special Town Meeting instead of waiting for the Fall Town Meeting. The calling of a Special Town Meeting which includes a proposed Zoning Amendment is complicated. Mr. Dery was averse to this suggestion.

We then began a series of no less than 10 back and forth emails and various phone calls. I felt it important that before moving forward again, Mr. Dery understand the errors made in the earlier citizen petitions so that they were not repeated. Evidence was introduced (sorry to sound like a lawyer) showing that in his more recent attempt, Mr. Dery had not followed the advice of Patrick Reffett, which is substantively the reason the Article failed. Concerning to me is that Mr. Dery refuses to accept his responsibility for the failings and instead, is quite willing to blame others.

At some point in our email correspondence, Mr. Dery added Town Counsel Donna Brewer. This is against our policy. Town Counsel is not to be involved in a Citizen Petition until a Town Board or Committee has indicated support and requests Town Counsel's involvement. Nonetheless, Attorney Brewer was very helpful and provided explicit and clear advice. Despite this, Mr. Dery remained confused and actually was quite rude, insisting that neither Atty Brewer nor I knew what we were talking about and that he was going to call the State for advice.

I **was** able to have Mr. Dery agree that he and I would attend a Planning Board meeting together. On April 19th, I again reached out to Mr. Dery asking if he was attending that night's Planning Board meeting. I received no reply but was then informed he was in attendance. By the time I arrived, Mr. Dery had already spoken and I understand he did not receive support by the Planning Board that it was necessary to bring this matter forward as a Special Town Meeting.

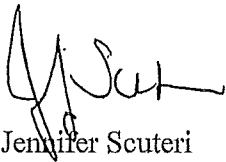
I also discussed the signature process with Mr. Dery. I recommended that it might be advisable that anyone signing understand the costs to the Town of a Special Town Meeting (so they could

not later state that they would not have signed had they known). I also advised that in light of the present discussions regarding 40B housing, that signatories be clear that statutorily, site plan review cannot be changed to the Planning Board for 40B purposes. Again, I wanted to make sure that no signatories were confused.

I then learned that Mr. Dery was obtaining signatures at Harborlight's 40B forum, again, ignoring my suggestion. I have now learned that when Mr. Dery delivered the signatures to the Town, he insisted on providing them to a Selectman as the Town Clerk was temporarily not available, instead of waiting until the Town Clerk's return – again, not observing the Citizen Petition process as set forth by the Secretary of State.

I offer this chronology as I want it to be made clear to the Town that both Town Counsel and I have gone above and beyond to assist this Petitioner who has not only been disrespectful but runs the risk of having another failed petition unless he follows the advice of Attorney Brewer.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Scuteri', written over the printed name.

Jennifer Scuteri
Town Moderator